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9 Attorneys for Plaintiffs  
10 Brent Schafer and Todd Construction, Inc.

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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

BRENT SCHAFER and TODD  
CONSTRUCTION, INC., an Oregon  
corporation,

Plaintiffs,

v.

ASSOCIATION FOR SMALL,  
CLOSELY HELD BUSINESSES, a  
Delaware corporation; CRONIN  
INSURANCE SERVICES, INC., a  
California corporation; and KENNETH  
FEHL,

Defendants.

Case No. C 13-00659 WHA

**JOINT STIPULATION TO DISMISS  
DEFENDANT KENNETH FEHL WITHOUT  
PREJUDICE**

WHEREAS, on March 11, 2013, Plaintiffs filed the First Amended Complaint in which Plaintiffs alleged, among other things, that Kenneth Fehl, was liable to Plaintiffs for negligence;

WHEREAS, on May 29, 2013, Mr. Fehl filed a motion to dismiss;

WHEREAS, Plaintiffs and Mr. Fehl wish to avoid further briefing on the issue;

WHEREAS, Mr. Fehl HAS not filed an answer or a motion for summary judgment;

WHEREAS, Plaintiffs and Mr. Fehl stipulate and agree that, pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, Mr. Fehl will be dismissed from this action without prejudice;

WHEREAS, through this stipulation, Plaintiffs do not concede any point Mr. Fehl raised

1 in his motion to dismiss;

2 THEREFORE, Plaintiffs and Mr. Fehl hereby stipulate, through their counsel of record,  
3 that Kenneth Fehl is dismissed from this action without prejudice.

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6 SUSSMAN SHANK LLP

7 By /S/  
8 Clifford S. Davidson

9 Attorneys for Plaintiffs Brent Schafer and Todd Construction, Inc

10 I hereby attest that I have on file all holographic signatures corresponding to any signatures  
11 indicated by a conformed signature (/S/) within this e-filed document.

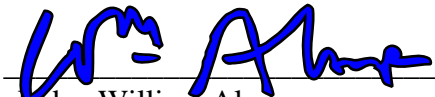
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13 By /S/  
14 Kenneth Fehl, Esq.

15 Defendant, *pro se*

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17 PURSUANT TO STIPULATION, IT IS SO ORDERED.

18 June 11, 2013.

19 Date

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Judge William Alsup  
United States District Judge